

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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Official Committee of Unsecured Creditors
of Exeter Holding, Ltd.

Case No. 13-cv-05475-JS-ASK

Plaintiff,

-against-

NOTICE OF CROSS MOTION

Linda Haltman, *et al*,

Defendants.

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PLEASE TAKE NOTICE, that upon the accompanying declaration of Marc J. Weingard, Esq., the affidavit of Linda Haltman, the affidavit of Michael Haltman, the affidavit of Leonard Weinstein, the exhibits annexed thereto, the accompanying Memorandum of Law and all pleadings and proceedings herein, Defendants Linda Haltman and Michael Haltman will move this Court before the Honorable Magistrate Judge A. Kathleen Tomlinson, United States District Court for the Eastern District of New York, 100 Federal Plaza, Central Islip, New York, Courtroom 1044, on a date to be determined, for an Order: (1) compelling Plaintiff to produce all deleted files and folders that Plaintiff recovered from the hard drive of Exeter Holding, Ltd., as identified at paragraph "7" of the affidavit of Brian T. Fox, sworn to on February 2, 2015 ("Recovered Files"); (2) compelling Plaintiff to make Exeter Holding, Ltd.'s computer and hard drive, which were turned over to Plaintiff in July 2013 ("Original Hard Drive"), available for inspection by Linda and Michael Haltman by Mr. Leonard Weinstein; and (3) authorizing Linda and Michael Haltman to file a Sur-Reply with respect to Plaintiff's motion based on the contents of the Recovered Files and the Original Hard Drive; and (4) granting such other and further relief as this Court deems just and proper.

Pursuant to the Individual Practice Rules of this Court, the Parties shall contact chambers to set a date for oral argument once this cross motion is fully briefed.

Dated: Garden City, New York
March 9, 2015

Weinberg, Gross & Pergament LLP
Attorneys for Linda and Michael Haltman

By: /s/ Marc J. Weingard
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